

JICARILLA APACHE TRIBE,  
Appellant

v.

DEPUTY COMMISSIONER OF  
INDIAN AFFAIRS,  
Appellee

: Order Docketing and Dismissing  
: Appeal  
:  
:  
: Docket No. IBIA 96-6-A  
:  
:  
: January 29, 1996

Appellant Jicarilla Apache Tribe sought review of an August 21, 1995, decision issued by the Deputy Commissioner of Indian Affairs (Deputy Commissioner), granting Columbus Energy Corporation an exception to the 3-month retroactivity rule for late submittal of Gas Processing Allowance Summary Reports (Form MMS-4109) for the period March 1, 1988, through September 30, 1990. This matter has been stayed since November 20, 1995, pending action by the Deputy Commissioner on appellant's request that she reconsider the August 21, 1995, decision.

On January 25, 1996, the Board received a motion from appellant stating that appellant and Columbus Energy had reached a settlement which had been approved by the Bureau of Indian Affairs and the Minerals Management Service. Appellant sought dismissal of the appeal on the grounds that the matter was moot.

Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the August 21, 1995, decision of the Deputy Commissioner Indian Affairs is docketed and dismissed.

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Kathryn A. Lynn  
Chief Administrative Judge

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Anita Vogt  
Administrative Judge